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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 TROY E BELCHER,

11 Plaintiff,

12 v.

13 LEZLIE PICKETT et al.,

14 Defendants.

CASE NO. C11-5452-RBL-JRC

ORDER DENYING PLAINTIFF'S
MOTION TO COMPEL
DISCOVERY

15 This 42 U.S.C. §1983 civil rights action has been referred to the undersigned Magistrate
16 Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate Judges Rules MJR 1,
17 MJR 3, and MJR 4. Plaintiff asks the Court to compel defendants to answer discovery that
18 plaintiff sent to the defendants on December 16, 2011 (ECF No. 21). Defendants have responded
19 and contend the discovery was not sent in a timely fashion pursuant to the Court's scheduling
20 order (ECF No. 24, *citing* ECF No. 16).

21 The Court's scheduling order stated that discovery cutoff in this case was December 30,
22 2011. The Court stated:

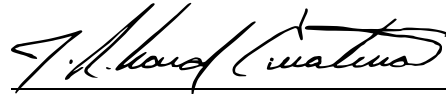
23 Service of responses to interrogatories and to requests to produce, and the taking
24 of depositions shall be completed by this date. Federal Rule of Civil Procedure

1 33(b)(3) requires answers or objections to be served within thirty (30) days after
2 service of the interrogatories. The serving party, therefore, must serve his/her
interrogatories at least thirty (30) days before the deadline in order to allow the
other party time to answer.

3 (ECF No. 16).

4 Plaintiff admits his discovery was not sent until mid December. Plaintiff needed to have
5 sent the discovery prior to November 30, 2011, for it to have been a timely request. The motion
6 to compel is DENIED.

7 Dated this 2nd day March, 2012.

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10 J. Richard Creatura
11 United States Magistrate Judge
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